

## REMARKS

### Drawings and Specification

Applicants gratefully acknowledge Examiner's attention to the details of the specification and drawings that is embodied in the objections to Fig. 1 of the drawings and to page 20 of the specification. Applicants, through the specification amendment presented above and through the replacement drawing sheet presented herewith, have addressed all of the objections of Examiner made with reference to the specification and drawings. Applicants respectfully request the entry of all amendments and replacement drawings and withdrawal of all previously presented objections.

### Claims

The informalities noted with regard to claims 5, 12, and 17 in the Office Action have been addressed by the above-presented amendments to those claims. Accordingly, Applicants requests the entry of these amendments and the withdrawal of the objections arising from the noted informalities.

### Section 102 Rejections

Claims 1, 3, and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Emsley et al.* (U.S. Pat. Pub. No. 2002/0019983, hereinafter *Emsley*). Applicant respectfully disagrees and traverses this ground of rejection. *Emsley* does not disclose a plurality of signal conditioning circuits, one of which is selected and applied to a digital signal to condition the signal in accordance with the digital standard that corresponds to the selected signal conditioning circuit. Instead, *Emsley* teaches that the band pass filter for conditioning the input signal is either in accordance with the 6 MHz standard or the 8 MHz standard, but it does not disclose being able to select one of the two. In fact,

*Emsley* teaches that the BPF 86 is either for the European signal *or* the U.S. signal (*Emsley*, paragraph [0024]), however, if the BPF 86 is one of these types, then it cannot be the other. Thus, *Emsley* does not disclose a plurality of signal conditioning circuits, each of which corresponds to a digital standard so that one circuit may be selected to condition the digital signal.

As amended, claim 3 requires that one filter conditions the digital signal in accordance with a first digital standard and the second filter conditions the digital signal in accordance with a second digital standard. *Emsley* does not teach that the second BPF 88 filters in accordance with a second digital standard. Therefore, *Emsley* does not anticipate amended claim 3.

Examiner's rejection of claim 7 is moot in light of Applicants' cancellation of that claim. Claim 7 was cancelled because the amendments made to other claims to more particularly make clear the availability of different circuits, each of which corresponded to different digital standards, made claim 7 unnecessary.

#### Section 103 Rejections

Claim 2 was rejected as being obvious over *Emsley* in view of *Liu* (U.S. Pat. No. 6,222,891). As noted above, *Emsley* does not teach a test meter that is capable of selecting a conditioning circuit that corresponds to the digital standard for the digital signal. *Liu* also fails to teach such a test meter or receiver. *Liu* notes that various standards exist (Col. 1, lines 34-64), but does not teach the inclusion of circuits in a receiver, each of which corresponds to a different standard. *Liu* describes being able to receive signals in either a low IF mode or subsampling on a standard tuner IF frequency (Col. 5, lines 34-47). However, these modes are all related to 6 MHz bandwidths and do

not teach or disclose the ability to all receive signals in the 7 or 8 MHz bandwidths as well. Therefore, the combination of *Emsley/Liu* fails to suggest at least this limitation of the claim. Consequently, claim2 is allowable over the references of record.

Claims 4 and 5 were rejected as being obvious over *Emsley*. The Examiner maintains that the use of two SAW filters, one being used for conditioning signals for one digital standard and the other being used to condition signals for a second digital standard, is an obvious design choice. Applicants respectfully disagree as no reference cited by the Examiner teaches the fundamental structure of two conditioning circuits, each being used to receive signals corresponding to one of two digital standards. Without the underlying structure, a designer cannot then simply choose other variants of conditioning circuits. Therefore, claims 4 and 5 are not obvious and should be allowed.

Claim 6 was rejected as being obvious over the combination of *Emsley* and *Schmidt* (U.S. Pat. No. 5,939,887). Applicants respectfully disagree as *Schmidt* does not teach the incorporation of a user interface in a test meter for selecting a digital standard that is used to select a signal conditioning circuit from a plurality of signal conditioning circuits. Thus, *Schmidt* does not teach the limitation of a user interface in a test meter for selecting a signal conditioning circuit or a demodulation scheme. Therefore, claim 6 is allowable over the references of record.

Claims 8 and 9 were rejected as being obvious over the combination of *Emsley* and *Furuya* (U.S. Pat. No. 5,577,087). Claims 8 and 9 are directed to a test meter that receives signals for testing purposes. *Furuya* is directed to a system for selecting different modulation schemes for maintaining a constant information transmission rate (Col. 1, line 65 to Col. 2, line 17). Examiner has cited no teaching or suggestion that one

would combine the teachings of *Furuya* regarding a transmitter with the circuits of *Emsley* to produce a new transmitter. Even more importantly, if one did combine these references, they would not produce the invention of claims 8 and 9 because that combination still fails to provide a plurality of signal conditioning circuits, each of which is used to condition the incoming signal in accordance with the digital standard for the incoming signal. For at least these reasons, claims 8 and 9 are patentable over the references of record. Furthermore, the teachings of *Furuya* with regard to the use of QAM 16 for a transmission scheme are not transferable to a test meter that demodulates the incoming signal with a conditioning circuit selected from a plurality of conditioning circuits. Therefore, claim 9 is also patentable over the references of record.

Claims 10-16 and 19 have been rejected as being obvious over *Emsley* in view of *Schmidt* and *Furuya*. There is no cited motivation for combining the teachings of *Emsley* regarding a test device with the teachings of *Schmidt* for ingress in a transmission system with the teachings of *Furuya* for a transmitter. Indeed, such a combination is incapable of arriving at the claimed invention in claims 10-16 and 19 because the combination does not provide, suggest, teach, or disclose a plurality of signal conditioning circuits with one circuit being selected to condition an incoming signal. Therefore, claims 10-16 and 19 are also patentable over the references of record.

Conclusion

For the reasons set forth above, all pending claims are patentable over the references of record. Reexamination and allowance of all pending claims are earnestly solicited.

Respectfully submitted,

MAGINOT, MOORE & BECK LLP

A handwritten signature in black ink, appearing to read 'David M. Lockman', written over a horizontal line.

David M. Lockman  
Attorney for Applicants  
Registration No. 34,214

August 19, 2005  
Maginot, Moore & Beck LLP  
Bank One Center/Tower  
111 Monument Circle, Suite 3000  
Indianapolis, Indiana 46204-5115  
Phone: (317) 638-2922  
Fax: (317) 638-2139